
4:00 P.M. -- EXECUTIVE SESSION (SEE SEPARATE, PRE-POSTED AGENDA)

CALL TO ORDER (IN KIVA CONFERENCE ROOM)

- 1.** MOTION to recess to Executive Session in the Kiva Conference Room, City Hall, and immediately following the 5:00 P.M. Meeting, if necessary. Agendas for the Executive Sessions are posted at least 24 hours prior to such meetings.

ADJOURNMENT OF EXECUTIVE SESSION

5:00 P.M. – PUBLIC MEETING

CALL TO ORDER (IN CITY HALL KIVA FORUM) - **5:09 P.M.**

ROLL CALL – ALL PRESENT

PLEDGE OF ALLEGIANCE – SCOUT TROOPS #653 & 368 FROM KACHINA DAY SCHOOL

INVOCATION – REV. RON SANDS OF SCOTTSDALE CHURCH OF NAZARENE

PRESENTATIONS/INFORMATION UPDATES

Proclamation of Volunteer Week – **MAYOR MANROSS**

GLO Abandonment discussion, possible direction – **PETE DEELEY, ATTY. PENNARTZ, RANDY GRANT**

BOARDS AND COMMISSIONS

Historic Preservation (1) – **BJ GONZALES**

Industrial Development Authority (1) - **CAROL ACKERMAN**

McDowell Sonoran Preservation Commission (2) – **DONALD RUFF AND DENNIS CARR**

Transportation Commission (1) - **JOHN ROONEY**

PUBLIC COMMENT - NORWOOD SISSON - QUESTIONED WHY THE CITY REDUCED THE AMOUNT OF INFORMATION DISTRIBUTED TO THE PUBLIC REGARDING LIQUOR LICENSE APPLICATIONS BEFORE THE APPLICATIONS ARE DISCUSSED AT A PUBLIC MEETING; LJ TREVILLYAN - REQUESTED THAT COUNCIL WAIVE CERTAIN FEES FOR THE 32ND ANNUAL JAYCEES “SCOTTSDALE LIGHTS IT UP” EVENT; TONY NELSEN – URGED COUNCIL TO MOVE FORWARD ON THE DESERT FOOTHILLS OVERLAY AND TO PLACE A TRAFFIC SIGNAL AT THE INTERSECTION OF JOMAX AND PIMA FOR EQUESTRIAN ACCESS TO THE TRAIL SYSTEM; DANIEL BASINGER - ANNOUNCED THAT THE HOUSEHOLD AND HAZARDOUS WASTE (& ELECTRONICS) COLLECTION HELD APRIL 6TH WAS A SUCCESS; DINA ROSE GALASSINI – REQUESTED THAT THE CITY TAKE ACTION TO IMPROVE THE CONDITION OF

SCOTTSDALE ROAD FROM INDIAN BEND TO GOLD DUST SINCE THE PLANNED IMPROVEMENT PROJECT WON'T TAKE PLACE FOR AT LEAST A YEAR.

Previously referred to as "Items from the Floor," citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "items from the floor." This "Public Comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

MINUTES - OK – 7/0 W/ THE EXCEPTION OF EXECUTIVE SESSION MINUTES FOR MARCH 4, 2002

SPECIAL MEETINGS

April 2, 2002 (4:00 P.M.)
April 8, 2002

REGULAR MEETINGS

April 2, 2002

EXECUTIVE SESSIONS

March 4, 2002
March 25, 2002
April 2, 2002

Consent Agenda (Items 1-21)

1. Action: OK - C

ADOPT Notice of Intention to increase water and wastewater rates and establish May 20, 2002 as the date for a public hearing.

Purpose:

The purpose of this action is to adopt a Notice of Intention to set water and wastewater rates for the 2002/03 fiscal year and to establish May 20, 2002 as the date for a public hearing.

Key Considerations:

The City engaged Raftelis Financial Consulting, PA to develop a financial plan to address capital costs required to address mandatory and pending United States Environmental Protection Agency (EPA) regulations. Raftelis recommends a 5% water rate increase effective November 1, 2002 for the 2002/03 fiscal year. The proposed water rate increase primarily relates to 1. Mandatory compliance with U.S. Environmental Protection Agency (EPA) Arsenic Rule with mandatory compliance by 2006; and 2. Complying with the pending EPA Disinfection by-product regulation requiring a reduction of disinfection by-products in potable water at all points of delivery in the system. Raftelis recommends a 1.5% wastewater rate increase relating to the operating and capital costs associated with the expansion of the multi-city 91st Avenue Wastewater Treatment Plant and related facilities to accommodate existing customers' wastewater treatment needs.

The May 20, 2002 public hearing date meets Arizona Revised Statute requirements that govern the timing of public comment on water and wastewater rate increases.

Staff Contact:

Craig Clifford, General Manager, Financial Services, (480) 312-2364,
cclifford@ci.scottsdale.az.us

2. Action: OK - C

AUTHORIZE Engineering Services Contract No. 2002-033-COS with Earth Tech, Inc. in an amount of \$1,309,523.00 for the design of three segments of Hayden Road between Princess Drive and Pinnacle Peak Road.

Purpose:

This engineering services contract will provide the design, preparation of plans, specifications and contract documents for the construction of Hayden Road from Princess Drive to Thompson Peak Parkway. The contract will also provide the construction plans and documents for a bridge and associated roadway improvements at the intersection of Deer Valley Road and Hayden/Miller Road.

The contract includes the design of water and sewer facilities that will be installed as part of the roadway construction (see Project Location Map). This contract will provide the plans and specifications for Hayden Road in three segments:

- Segment 1. Princess Drive to Loop 101 Freeway.
- Segment 2. Loop 101 Freeway to Thompson Peak Parkway.
- Segment 3. Bridge and roadway improvements at Hayden/Miller Road and Deer Valley Road.

Key Considerations:

The last segment of the Pima Freeway, between Scottsdale Road and Pima/Princess Drive was opened to traffic on April 8, 2002 and has entrance and exit ramps at Hayden Road. Currently, Hayden Road is fully improved to just south of Princess Drive, partially improved from Princess Drive to Union Hills, and unimproved from Union Hills to Thompson Peak Parkway. This unimproved section is intersected by the Freeway.

It is anticipated that construction of Segment 1 can be substantially completed and opened to traffic by the end of January 2003. Construction of Segments 2 and 3 is targeted for completion by August 2003.

Earth Tech, Inc. is not currently under contract for any other services to the City.

A total construction budget of approximately \$11,000,000 is available for this project. Right-of-way acquisition from the State Land Department will be required prior to the construction of Segment 2.

When completed, these segments will allow traffic to enter and exit the Pima Freeway at Hayden Road, reducing traffic volume on both Scottsdale and Pima Roads.

Staff Contact:

Alex McLaren, Construction and Design Director, (480) 312-7099, amclaren@ci.scottsdale.az.us

3. Action: OK - C

Adopt Resolution No. 6034 providing for the issuance and sale of \$68 million principal amount General Obligation Bonds, Projects of 1999 and 2000, Series 2002; providing the terms concerning the bonds; providing for the annual levy of a tax for the payment of the bonds; authorizing the Financial Services General Manager to accept a proposal for the purchase of the bonds; and appointing an initial bond registrar and paying agent for the bonds. The sale date of May 1, 2002 may be postponed to a later day by a written statement from the Financial Services General Manager.

Purpose:

Proceeds from this bond sale will be used to fund \$40 million of preservation acquisitions from the 1999 Bond Election and \$28 million for library and park systems (\$14.0 million), neighborhood flood control (\$0.6 million), scenic corridor improvements (\$0.4 million), public safety facilities (\$3.0 million) and transportation improvements (\$10.0 million) from the 2000 Bond Election. Debt service for the preservation portion of this issue will be paid from the 0.2% preservation excise tax. For the 2000 election portion of the issue, the debt service will be paid from secondary property tax collections.

Key Considerations:

The City's General Obligation bond ratings are AAA from Fitch, Aaa from Moody's, and AAA from Standard & Poor's. These are the highest possible ratings. Because of these excellent General Obligation bond ratings and the low interest rate environment, the sale of these bonds should result in low financing costs for these acquisitions. After the sale of these bonds, the City will have approximately \$402 million of remaining 20% debt capacity and \$108 million of remaining 6% debt capacity.

Staff Contact:

Rebecca A. Eickley, Finance and Energy Manager, (480) 312-7084, reickley@ci.scottsdale.az.us
Craig Clifford, General Manager, (480) 312-2364, cclifford@ci.scottsdale.az.us

4. Action: OK - C

This Action Supports City Council Broad Goal B- Preserve the Character and Environment of Scottsdale:

Adopt Res. No. 6044 authorizing purchase in the amount of \$195,200 for the 5.005-acre Parcel No. 216-59-004K, located at 30225 N. 128th Street, for the McDowell Sonoran Preserve

Purpose:

The McDowell Sonoran Preserve currently consists of 10,526 acres of City-owned land. The purpose of the Preserve is to maintain the environmental character of the land, to protect scenic views, to preserve habitat for wildlife, and to provide opportunities for appropriate public access and passive recreation use. Scottsdale residents have also indicated a strong desire to maintain the Preserve for the enjoyment of this and future generations. The acquisition of this 5.005-acre parcel, located in the voter-approved Recommended Study Boundary (RSB) for the Preserve, furthers numerous goals of the Preserve given its habitat, recreation, scenic and strategic value.

Key Considerations:

- The McDowell Sonoran Preserve is supported by five public votes. Tax collections through February 2002 - \$87.7 million. Preserve acquisition expenditures - \$239.5 million. Bonds issued - \$192 million (\$94.6 million in General Obligation bonds). Remaining private land to consider for acquisition- 501 acres. Existing Preserve tax sufficient to pay for acquisition of this parcel.
- The City Council and voters have approved the specific boundary in which all acquisitions are made. The City Council has approved 16 acquisitions in the vicinity of this proposed acquisition. The McDowell Sonoran Preserve Commission strongly supports the preservation of all land within the voter approved Recommended Study Boundary.

- The Desert Preservation Task Force and the McDowell Sonoran Preserve Commission identified this parcel and others in the surrounding area as integral to creating a large un-fragmented habitat area and a natural corridor/linkage among the McDowell Mountains, McDowell Mountain Regional Park, the portion of the planned Preserve north of Dynamite Boulevard and the Tonto National Forest.
- The approval of Resolution No. 6044 will enable staff to expend \$195,200 plus closing costs from the McDowell Sonoran Preserve privilege tax fund. This fund was created to accumulate revenues from the .2% transaction privilege tax for the acquisition of land for the McDowell Sonoran Preserve. Sufficient funds for the acquisition are available in this fund. Resolution No. 5819 enables the City to be reimbursed for funds advanced for the acquisition of this parcel, as described by U.S. Treasury Regulation Section 1.150-2, with the intent that the City will reimburse the acquisition expenditure from subsequent bond proceeds.

Location: Parcel No. 216-59-004K at 30225 N. 128th Street

Staff Contact: Don Meserve, Preservation Planner, 480-312-2523 (dmeserve@ci.scottsdale.az.us)

5. Action: OK - C

This Action Supports City Council Broad Goal B- Preserve the Character and Environment of Scottsdale:

Adopt Ordinance No. 3432 to amend Chapter 46, Article VI of the Scottsdale Revised Code regarding the requirement for records checks by amending Section 46-132.

Purpose:

The proposed ordinance amendment will clarify the City's archaeology requirements for records checks by removing existing requirements where the information is now available. The requirement for records checks, enacted as part of the Archaeology Ordinance in July 1999, is no longer necessary since the information obtained through records checks is now available. Requiring applicants to hire archaeologists to prepare this data is duplicative of information that is currently available.

Key Considerations:

- The City hired an archaeology firm to conduct a citywide records check, and to build a records database in cooperation with staff. The citywide database is now in place.
- The database will remain current since Scottsdale now receives all archaeology surveys performed within the city.
- The State has created a statewide database that city staff will monitor as a cross reference to ensure the Scottsdale database remains up to date.
- This ordinance requirement will not generate any new or additional information in the future.
- This amendment will result in a cost savings and potential time savings for applicants with projects where a records check was previously required.

Historic Preservation Commission Recommendation:

Initiated amendment March 14, 2002 and unanimously recommended to Council that it be adopted.

Location: Citywide

Staff Contact: Don Meserve, AICP, Preservation Division, 480-312-2523 (dmeserve@ci.scottsdale.az.us)

6. Action: OK – 7/0

CONSENT to extension of the Condition Date stated in the Santa Fe Jet Center Lease, paragraph 6 of Exhibit “B” to Resolution No. 5915; **CONFIRM** that the conditions related to that date are no longer effective, the conditions having been satisfied; and **CONFIRM** that Santa Fe Jet Center Lease No.

2001-133-COS previously approved by the City Council on November 5, 2001 is in full force and effect according to its terms.

Purpose:

The Santa Fe Jet Center lease was formally adopted by City Council on November 5, 2001 with two unresolved issues (one related to deed restrictions and the other to an Federal Aviation Administration Part 16 complaint). These issues have been resolved to both parties’ satisfaction. The purpose of this proposed action is to allow the project to move forward, now that these issues have been resolved.

Key Considerations:

The original resolution provides that the lease binds neither the city nor the developer unless both issues are resolved to their satisfaction before a certain date (the end of February 2002). The FAA complaint has been resolved by a formal FAA ruling in favor of the City. The deed restrictions have been resolved by the developer’s obtaining written statements by appropriate property owners supporting the project. However, without fault by the city or the developer, the FAA ruling did not occur until after the date specified in Resolution No. 5915 (February 28, 2002).

The developer has given the City written notice that both issues are resolved to its satisfaction and that the developer desires the lease to continue forward as previously approved by the Council.

This action is brought forward at the developer’s request to confirm that these issues have been resolved for purposes of Resolution No. 5915, that the conditions stated in paragraphs 6 and 7 of exhibit “B” have been satisfied, and that the lease previously approved by Council is in full force and effect according to its terms.

Staff Contact:

Mr. Scott T. Gray, Aviation Director, (480) 312-7735, sgray@ci.scottsdale.az.us

7. Action: OK - C

Bashas 99

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a location transfer, series 09 (liquor store) state liquor license.

State License #09070003

City Case #28-LL-2002

Purpose:

The applicant is seeking a liquor license for a new grocery store. This request comes from Michael J. Basha, who filed on behalf of Bashas Inc., the owner of this grocery store.

Location: 10111 E. Bell Rd., Scottsdale, AZ 85260

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 4/21/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Michael J. Basha, 14815 S. 14th Place, Phoenix, AZ 85048

Property Owner: A&C Properties, 4530 E. Shea Blvd., Suite 100, Phoenix, AZ 85028

Staff Contacts:

Jeff Fisher 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey 480-312-5141, Email: kkinsey@ci.scottsdale.az.us

8. Action: OK - C

Swadee Thai Cuisine

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) state liquor license.

State License #12075122

City Case #29-LL-2002

Purpose:

The applicant is seeking a liquor license for a new restaurant. This request comes from Arin Pouenmuang, who filed on behalf of Wonvilai Puthawong, the owner of this establishment.

Location: 8989 E Via Linda, Suite 101, Scottsdale, AZ 85258

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 4/25/02
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Arin Pouenmuang, 10413 Raintree Dr., Scottsdale, AZ 85259

Property Owner: Allan Freeman, 9393 N. 90th St. #210, Scottsdale, AZ 85258

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

9. Action: OK - C

The Court

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person transfer and location transfer for a series 6 (bar) state liquor license.

State License 06070658

City Case #30-LL-2002

Purpose:

The applicant is seeking transfer of a series 6 liquor license for a new cocktail lounge. This request comes from Elliott Glasser, who filed on behalf of Court Lounge, L.L.C., the owner of this establishment.

Location: 4238 Craftsman Court, Scottsdale, AZ 85251

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 4/25/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Elliott Glasser, 8136 No. Mohave Circle, Paradise Valley, AZ 85253

Property Owner: Court Lounge L.L.C., 4238 Craftsman Court, Scottsdale, AZ 85251

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

10. Action: OK - C

Restaurant Oceana

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) state liquor license.

State License #12075127

City Case #31-LL-2002

Purpose:

The applicant is seeking a liquor license for an existing location which is currently operating under an interim permit. This request comes from Vincent Rockwell Clark, who filed on behalf of Rockwell Restaurants LLC, the owner of this establishment.

Location: 8900 E Pinnacle Peak Rd # E1, Scottsdale, AZ 85255

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 4/27/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Vincent Rockwell Clark, 11905 West Monroe St., Avondale, AZ 85323

Property Owner: Desert Troon Companies, 8900 E. Pinnacle Peak Rd. Suite 200, Scottsdale, AZ 85255

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

11. Action: OK - C

Sugar Daddy's

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) state liquor license.

State License #12075125

City Case #32-LL-2002

Purpose:

The applicant is seeking a liquor license for an existing location which is currently operating under an interim permit. This request comes from Brian Christopher Roehrich, who filed on behalf of Joe's Apartment Inc., the owner of this establishment.

Location: 3102 N Scottsdale Rd, Scottsdale, AZ 85251

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 4/27/02
- The Police Department has conducted a review and recommends approval on this case.

- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Brian Christopher Roehrich, 4621 E. Camelback Rd., Phoenix, AZ 85018

Property Owner: Sugar Daddy's, 3102 N. Scottsdale Rd., Scottsdale, AZ 85251

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

12. Action: **OK - C**

The Silverleaf Club

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 14 (club) state liquor license.

State License #14073031

City Case #33-LL-2002

Purpose:

The applicant is seeking a liquor license for a private golf clubhouse and golf course. This request comes from Heinz Hofmann, who filed on behalf of The Silverleaf Club LLC, the owner of this establishment.

Location: 10375 E Horseshoe Canyon Dr., Scottsdale, AZ 85255

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 5/5/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Heinz Hofmann, 9741 E. Mountain Spring Rd., Scottsdale, AZ 85255

Property Owner: The Silverleaf Club, 7600 E. Doubletree Ranch Rd. #300, Scottsdale, AZ 85258

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

13. Action: OK - C

Sunflower Cafe

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) state liquor license.

State License #12075129

City Case #34-LL-2002

Purpose:

The applicant is seeking a liquor license for a restaurant which is currently operating with an interim permit. This request comes from Scott Joseph Barthelmes, who filed on behalf of Fortis Sunflower LLC, the owner of this establishment.

Location: 7704 E Doubletree Ranch Rd. #190, Scottsdale, AZ 85258

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 5/1/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Scott Joseph Barthelmes, 6900 E. Gold Dust Ave. #139, Scottsdale, AZ 85253

Property Owner: Gainey Ranch L.P., 4747 N. 7th St. suite 400, Phoenix, AZ 85014

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kkinsey@ci.scottsdale.az.us

14. Action: OK - C

Chili Pistols

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) state liquor license.

State License #12075139

City Case #35-LL-2002

Purpose:

The applicant is seeking a liquor license for a new restaurant. This request comes from Mark Russell, who filed on behalf of Chili Pistols, and is also the owner this establishment.

Location: 2534 N Scottsdale Rd, Scottsdale, AZ 85257

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 5/7/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Mark Russell, 4432 N. 85th St., Scottsdale, AZ 85251

Property Owner: Scott Hoyer, 6835 E. Thomas Rd., Scottsdale, AZ 85251

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

15. Action: OK - C

Packrat

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person transfer for a series 6 (bar) state liquor license.

State License #06070196

City Case #36-LL-2002

Purpose:

The applicant is seeking a liquor license for a bar and restaurant currently operating with an interim permit. This request comes from Craig Medland, who filed on behalf of Franano & Medland Inc., the owner of this establishment.

Location: 10213 N Scottsdale Rd., Scottsdale, AZ 85253

Key Considerations:

- Per ARS 4-210C, the sixty-day limit for processing this application is 5/7/02.
- The Police Department has conducted a review and recommends approval on this case.
- Revenue Collection has reported that the applicant has met City licensing requirements and all fees have been paid.
- Code Enforcement has reported no City Code violations.
- Maricopa County Environmental Health has reviewed this application and reported no opposition on this case.

Applicant: Craig Medland, 11470 N. 64th St., Scottsdale, AZ 85254

Property Owner: Paul A. Marchal DBA Blue Canyon Trust, 11426 N. Cave Creek Rd. Suite C, Phoenix, AZ 85023

Staff Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

16. Action: OK - C

Bravo Bistro

To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises of an existing restaurant.

State License #12073420

City Case #4-EXT-2002

Purpose:

The applicant is seeking approval for an extension of premises to add a second floor and patio for an existing restaurant. This request comes from Steven Marks, who filed on behalf of Bravo Bistro, the owner of this establishment.

Location: 4327 N Scottsdale Rd, Scottsdale, AZ 85251

Key Considerations:

- The Police Department has conducted a review and recommends approval on this case.
- Rural Metro has reviewed this application and reported no opposition on this case.

Applicant: Steven Marks, 4327 N. Scottsdale Rd., Scottsdale, AZ 85251

Property Owner: Max Properties LLC, 4327 N. Scottsdale Rd., Scottsdale, AZ 85251

Contacts:

Jeff Fisher, 480-312-7619, Email: jefisher@ci.scottsdale.az.us

Kurt Kinsey, 480-312-5141, Email: kinsey@ci.scottsdale.az.us

17. Action: OK - C

Park at DC Ranch Master Site Plan

Request to consider approval of master site plan for a future City of Scottsdale park at DC Ranch on an 8.25± acre parcel located at the southeast corner of Thompson Peak Parkway and Desert Camp Drive, with Open Space and Planned Community District (O-S PCD) zoning.

1-MP-2002

Purpose:

To approve a master site plan for a park site that satisfies the requirements for dedication of the parcel to the City of Scottsdale

This request comes from Karrin Taylor of Biskind Hunt & Taylor, who filed on behalf of DC Ranch LLC, the owner of this property.

Location:

- Southeast corner of Thompson Peak Parkway and Desert Camp Drive.

Key Considerations

- Master Site Plan approval of park site is required for dedication to the City of Scottsdale.
- The proposed master plan lays the foundation for park planning for this site.
- Preliminary site plan depicts potential uses within the park that are consistent with DC Ranch and the Vision 2010 Parks Master Plans.
- Master plan shows proposed trail and path connections, parking requirements, play areas, equestrian uses, and future expansion concepts.
- Parks and Recreation Commission recommended approval.
- Planning Commission recommended approval 5-0

Applicant:

Karrin Taylor, Biskind Hunt & Taylor PLC, 11201 N Tatum Blvd Ste 330, Phoenix, AZ 85028
602-955-3452

Owner:

DC Ranch LLC, 7600 E Doubletree Ranch Road, Ste 300, Scottsdale, AZ 85258, 480-367-7000

Staff Contact:

Kurt Jones, Project Coordination Manager
480-312-2524, E-mail: kjones@ci.scottsdale.az.us

18. Action: OK – 6/0 (R.P. – absent)

Aquila at McDowell Mountain Ranch GLO Abandonment

Request is to consider the following:

Step 1

- Abandon portions of the Government Land Office (GLO) roadway easements within a proposed commercial office development called Aquila at McDowell Mountain Ranch.
- Require a dedication of 45 feet wide half street right-of-way for 98th Street.
- Require a dedication of 30 feet wide half street right-of-way for 100th Street.

Step 2

- Once these requirements are satisfied (upon receiving the required dedications), this will be scheduled for City Council to adopt a resolution. The GLO easements will remain in effect until a resolution is adopted by City Council and the new dedications are recorded.

1-AB-2002

Purpose:

This request is to approve abandoning portions of the 33 feet wide GLO federal patent roadway easements to be replaced by internal on-site circulation of a proposed office complex called Aquila at McDowell Mountain Ranch.

This request comes from George F. Tibsherany Development Corporation, who filed on behalf of multiple property owners of Aquila at McDowell Mountain Ranch.

Location: Southeast corner of 98th Street and Bell Road.

Department Responses:

Transportation:

The GLO easements that are to be abandoned will be exchanged for the street system adjacent to the proposed Aquila at McDowell Mountain Ranch office complex. For street access to the complex, there will be a dedication of a 45' half street for 98th Street and a 30' half street for 100th Street as a stipulation of development. These two streets will provide for the necessary north/south traffic movement, and there will be an entrance from Bell Road. East/west circulation will be provided within the office complex. The GLO easements to be abandoned, created on a five acres grid, are no longer appropriate for the access of this office development or other adjacent parcels.

Trails:

The planned trail for this area is located within a wash along the 96th Street alignment and moves eastward along the north side of Bell Road to connect with the trail system for the preserve. No trail reservations are required of this project.

Utilities:

Letters of no objection have been received from the public utilities, and no public utility easements are being requested.

Water/Sewer Services:

Water and sewer lines are planned along the 98th Street and 100th Street alignments. The right-of-way needed for these alignments will be dedicated as a condition of this abandonment and prior to the request for abandonment adoption.

Emergency/Municipal Services:

The new right-of-way dedications provide fire, police, and sanitation vehicles access for service to this site and surrounding sites without these subject roadway easements.

Drainage:

Any required drainage easements will be dedicated at the time of final plans approval prior to issuance of permits as stipulated in Case 2-DR-2002.

Key Considerations:

CITY IMPACT:

- Dedicates a 45 feet wide right-of-way for 98th Street and 30 feet wide right-of-way for 100th Street.
- Maintains consistency with city street standards.
- Ability to preserve the subject GLO areas as natural area open space easements.

NEIGHBORHOOD IMPACT:

- Obtains right-of-way dedications for 98th Street and 100th Street.
- Development that corresponds with the site features and natural topography versus the prescriptive grid development in accordance with the GLO easements.

PROPERTY OWNER IMPACT:

- Allows development of this site to proceed through final plans review as currently proposed.

Applicant:

George Tibsherany, George F. Tibsherany Development Corp., 7150 E. Camelback Rd., Ste. 500, Scottsdale, AZ 85251, 480-945-1228

Owners: Multiple property owners.

Staff Contact: Cheryl Sumners, Senior Planner, 480-312-7834, E-mail: csumners@ci.scottsdale.az.us

19. Action: OK – 6/0 (R.P. absent)

Horseman's East Forty GLO Abandonment

Request is to consider the following:

Step 1

- Abandon portions of the Government Land Office (GLO) roadway easements within a proposed subdivision called Horseman's East Forty.
- Require a dedication of 45 feet wide half street right-of-way for 98th Street.
- Require a dedication of 30 feet wide half street right-of-way for 100th Street.
- Require internal street dedications as proposed on the final subdivision plat.
- Reserve a 15 feet public utility easement across lots 18 and 20.

Step 2

- Once these requirements are satisfied (at the time of final plat request), this will be scheduled for City Council to adopt a resolution. The GLO easements will remain in effect until a resolution is adopted by City Council and a final plat is recorded.

2-AB-2002

Purpose:

This request is to approve abandoning all of the 33-foot wide GLO federal patent roadway easements in a new subdivision plat called Horseman's East Forty which will be replaced by a proposed street system. If approved, this abandonment will be reflected in the April 18, 2002 Development Review Board case. This request comes from Irene Carroll who filed on behalf of the multiple property owners of Horseman's East Forty.

Location:

- South of Bell Road, between 98th Street and 100th Street.

Department Responses:

Transportation:

The GLO easements that are to be abandoned will be exchanged for the street system of the proposed Horseman's East Forty subdivision. There will be a dedication of a 45' half street for 98th Street (major collector classification) and a 30' half street for 100th Street (local commercial classification) with the final plat. These two streets will provide for the necessary north/south traffic movement. East/west access will be provided by Paradise Lane through the subdivision. The GLO easements to be abandoned,

created on a five-acre grid, are no longer appropriate for access to this subdivision or the adjacent parcels.

Trails:

The planned trail for this area is located within a wash along the 96th Street alignment and moves eastward along the north side of Bell Road to connect with the trail system for the preserve. No trail reservations are required of this project.

Utilities:

APS requests a reservation of a 15 feet wide public utility easement across the south 15 feet of the north 33 feet wide GLO easement located across GLO lots 18 and 20. Letters of no conflict have been received from the remaining utility companies.

Water/Sewer Services:

This request will not have an adverse impact on the water/sewer system since no water/sewer lines are planned for these GLO locations. Water/Sewer design issues will be addressed as part of the Horseman's East Forty preliminary plat request.

Emergency/Municipal Services:

The proposed subdivision right-of-way dedications provide fire, police, and sanitation vehicles access for service to this site and surrounding sites without these subject GLO roadway easements.

Drainage:

Any required drainage easements will be dedicated on the Horseman's East Forty subdivision plat as stipulated in the proposed preliminary plat Case 4-PP-2002 scheduled for Development Review Board on April 18, 2002.

Key Considerations:

CITY IMPACT:

- Dedicates 45 feet wide right-of-way for 98th Street and 30 feet wide half street right-of-way for 100th Street. These dedications will be received when the Horseman's East Forty final plat is recorded.
- Maintain consistency with city street standards.

NEIGHBORHOOD IMPACT:

- Obtains right-of-way dedications for 98th Street and 100th Street.
- Establishes a local circulation system with the Horseman's East Forty final plat.
- Incorporates natural features and significant washes as part of the subdivision design that preserves distinctive areas versus grading along GLO grid alignments.

OWNER IMPACT:

- Allows the developer to proceed with his preliminary plat application for the Horseman's East Forty subdivision.

Applicant:

Irene Carroll, Horseman's Park East, 15570 N. Greenway-Hayden Loop, Ste. 104, Scottsdale, AZ 85260
480-348-7470

Owners: Multiple Owners

Staff Contact:

Cheryl Sumners, Senior Planner, 480-312-7834, E-mail: csumners@ci.scottsdale.az.us

ADOPT Ordinance No. 3431 changing Water, Sewer, and Water Resources Development Fees effective July 15, 2002.

Purpose:

The purpose of this action is to adopt new Water, Sewer, and Water Resources Development fees for the fiscal year 2002-2003.

Key Considerations:

Development fees: Development fees are one-time fees that require development to pay its proportionate share of new capital improvement costs. Development fees may not be used to cover operating expenses nor may they be used for replacement of existing capital improvements. These fees apply to all new development. The three Water Resources development fees are (1) Water Development fees, covering the costs of the potable water system, including water lines, reservoirs, pump stations, new groundwater wells, and treatment facilities; (2) Water Resources fees, paying to acquiring water supplies, such as CAP Colorado River allocations, and groundwater recharge; and (3) Sewer Development fees, covering the wastewater infrastructure, such as the collection system and treatment facilities. There are two fee zones (A and B-E), which incorporate their respective capital improvements and cover a 15-year planning horizon.

Capital Improvements: As part of a “Fiscal Impact of Development Study” prepared by Tischler & Associates in 1995-96, major water and sewer capital improvements required to accommodate new development were identified. Improvement needs have been updated through the Master Plans on a regular basis since that time. These capital improvements and water supply acquisitions are labeled as “system improvements,” in contrast to the “local improvements” associated within individual subdivisions that are the developer’s sole responsibility.

Process: Following adoption of the updated Master Plan, new development fees are implemented through a two-year cycle process as follows:

- **2002 Development Fee Comprehensive Report.** In the first year of the cycle, the new/revised planning assumptions and system improvements from the Master Plan are used to calculate new development fees over the planning horizon (2001-2016). The basis for these fees is described in a new comprehensive development fee report which is then incorporated into a new fee ordinance for consideration by the City Council.
- **Construction Cost Update Report.** In the second year of the biennial cycle (2003), the development fees from the first year comprehensive report are adjusted by a cost index to ensure that the fees are current with construction costs.

Findings: Expressed in terms of net capital cost per gallon, the proposed Water Development Fees are \$1.48 in Zone A and \$7.17 in Zones B-E, which represent increases of \$0.71 and \$0.56 respectively. Proposed Water Resources Development Fees are \$1.51 in Zone A and \$1.95 in Zones B-E, which represent increases of \$0.24 and \$0.22 respectively. Proposed Sewer Development Fees are \$7.74 in Zone A and \$23.91 in Zones B-E, which represent decreases of \$2.56 and \$0.57 respectively. New capital improvement costs including cost for new water supplies is the primary reason for the water-related fee increases. For the sewer fees, there is an increase due to new treatment capital improvement costs. However, coupled with a decrease in the cost of the collection system and a flow meter correction, the net capital cost per gallon decreases.

Public Hearing: The City Council held a public hearing to accept citizen comments on the proposed changes on April 2, 2002. The proposed adoption date of April 16, 2002 meets Arizona Revised Statutes requirements for a 14 day period between public hearing and adoption and a minimum 90 day period before implementation which is scheduled for July 15, 2002.

Staff Contact:

David M. Mansfield, Gen'l Mgr, Water Resources, (480) 312-5681, dmansfield@ci.scottsdale.az.us

21. Action: OK – 5/1 (G.Z.) (R.P. – absent)

Adopt Resolution No. 5984 to:

1. Authorize the Mayor to sign two settlement agreements, Agreement No. 2001-175--COS, which settles the lawsuit, Scottsdale Athletic Club, Inc. v. City of Scottsdale, currently pending in Maricopa County Superior Court, Case No. CV2000-017721 and Agreement No. 2001-176--COS, which settles the lawsuit, Rick Burdette, William Sleasman, Rod Taylor L. and Debra D. Taylor and Richard Turner v. City of Scottsdale and Scottsdale Athletic Club, currently pending in Maricopa County Superior Court, Case No. CV2001-014597 in the amount of \$165,000.00; and
2. Authorize a contingency transfer from Operating Contingency to Planning Systems operating budget in the amount of the settlement (\$165,000.00).

Purpose:

Execution of the settlement agreement will allow for the modification of all tennis court lighting at the Scottsdale Athletic Club to reduce the impact of lighting on the neighbors in the adjoining Los Abrigados residential development. This settlement will resolve both the pending litigation relating to the lawsuit filed by Mr. Robert Hing, owner of the Scottsdale Athletic Club against the City of Scottsdale and the lawsuit filed by four neighbors at Los Abrigados against the City of Scottsdale and the Scottsdale Athletic Club.

Key Considerations:

This settlement will provide the Los Abrigados neighbors with mitigation from the tennis court lighting at the Scottsdale Athletic Club. This settlement will conclude the litigation and reduce the financial exposure to the City.

The following transfer is necessary:

From: Operating Contingency	\$165,000.00
To: Account Number (100-07700-52487)	\$165,000.00

The 2001/02 budget for Operating Contingency is \$987,600.00. After this transfer, the contingency balance will be \$822,600.00.

Staff Contacts:

David A. Pennartz, 480-312-2405; dpennartz@ci.scottsdale.az.us.
Lisa Collins, 480-312-7616; lcollins@ci.scottsdale.az.us

Regular Agenda (Items 22-25)

22. Action: OK – 6/0 (R.P. - absent)

Hold a Public Hearing and adopt Resolution No. 6037, which authorizes submittal of Scottsdale's Community Development Block Grant Annual Action Plan for Fiscal Year 2002-2003 to the Department of Housing and Urban Development.

Purpose:

To recommend that the City Council:

1. Solicit public testimony regarding the Annual Action Plan for the use of Community Development Block Grant (CDBG) funds in the amount of \$1,190,903 for Fiscal Year 2002-2003; and
2. Solicit public testimony regarding the use of HOME Investment Partnerships Program (HOME) funds in the amount of \$302,210 for Fiscal Year 2002-2003; and
3. Adopt Resolution No. 6037 which:
 - Approves and authorizes the submittal of Scottsdale's CDBG Annual Action Plan for Fiscal Year 2002-2003 and the execution of a contract with the U. S. Department of Housing and Urban Development (HUD) for CDBG funding; and
 - Approves the recommendations of the Human Services Commission for projects and the allocation of the Fiscal Year 2002-2003 CDBG and HOME funds; and
 - Approves the recommendations of the Human Services Commission for Scottsdale Cares projects in the amount of \$219,000; and
 - Approves the recommendations of the Human Services Commission for the Human Services General Fund projects in the amount of \$187,000 for public services and \$100,000 for affordable housing; and
 - Authorizes and awards contracts to the agencies for execution of projects to be funded for the 2002-2003 fiscal year CDBG and HOME programs, subject to final negotiation of scopes of work and the execution of the HUD contract; and for Scottsdale Cares and General Funds; and
 - Approves reprogramming of remaining resources under prior years' funding.

Key Considerations:

The HUD Consolidated Plan regulations require that, prior to the start of our fiscal year in July, the City of Scottsdale submit to HUD an Annual Action Plan on the proposed use of all allocated funds for the CDBG program. This submission will secure our allocation of \$1,143,000. The Annual Action Plan is developed in compliance with specific HUD guidelines for solicitation of public comments and must be consistent with the city's adopted Consolidated Plan. Tonight's public hearing is designed to solicit any additional input regarding the use of CDBG and HOME funding resources and assign a use for all available funding.

This council action will allocate funding from four sources to a variety of human services and housing projects in response to the recommendations of the Human Services Commission, which hosted two public meetings to hear public services funding proposals from agencies and ask questions about the services to be provided. The Housing Board hosted a public meeting to hear housing services funding proposals. The City of Scottsdale has participated in and administered the CDBG program over the past twenty-seven years. Participation in the twenty-eighth year program demonstrates the city's commitment to the welfare of Scottsdale citizens and to meeting the national objectives of HUD which are: benefiting low and moderate income persons, addressing slums or blight, and meeting a particularly urgent community need.

HOME funds are available to Scottsdale as a result of participation in the Maricopa County Consortium. Other members in the Consortium include Maricopa County, Chandler, Gilbert, Glendale, Mesa, Peoria,

and Tempe. HOME funds are also a federal block grant. The City of Scottsdale has participated in and administered the HOME program over the past ten years. HOME supports a wide range of activities that increase the supply of affordable housing for low-income people, and housing activities through creative housing partnerships among other cities, counties, states, and non-profit organizations. Typical uses include acquisition, rehabilitation, new construction, tenant-based rental assistance, and other related activities. Scottsdale's net HOME allocation from the Maricopa County Consortium this fiscal year is \$301,588. All HOME and CDBG funds must be used to benefit persons whose incomes fall below 80% of the area median income level.

The recommended uses of these funds are consistent with the Council approved *Strategy for the Creation and Preservation of High Quality, Safe and Affordable Housing*.

Thirty-three agencies, providing services to an estimated 13,000 residents, will be funded utilizing these funding sources.

Staff Contact:

Mark Bethel, Community Assistance Manager, 480-312-2309, mbethel@ci.scottsdale.az.us

23. Action: OK – 5/0 (G.Z. – absent for vote & R.P. – absent)

Adopt Resolution No. 6051 authorizing and directing acquisition from four additional property owners along the west side of Scottsdale Road between Doubletree Ranch Road and Sunnyvale Road for 25 feet of permanent ROW along the west side of Scottsdale Road, an adjacent 10 foot wide ROW, restoration costs and trees, shrubs and other existing improvements located within the new ROW area for the widening of Scottsdale Road.

PURPOSE:

This action will result in the acquisition of 25 feet of ROW, a 10 foot TCE and improvements from four property owners along the west side of Scottsdale Road as part of the Scottsdale Road widening project from Indian Bend Road to Gold Dust Avenue by dedication, donation, purchase, exchange or under the power of eminent domain.

KEY CONSIDERATIONS:

These four acquisitions are located within the Town of Paradise Valley and are necessary to widen Scottsdale Road from Indian Bend Road to Gold Dust Avenue. Attachment No. 2 is a map that shows the four properties along the west side of Scottsdale Road south of Doubletree Ranch Road. Sufficient funds are available for these acquisitions in C.I.P Account No. 410-S2707-54020.

Formal planning for this project began after February 5, 1996, when the City of Scottsdale (City) entered into Intergovernmental Agreement (IGA) 96-0001 with the Town of Paradise Valley (Town) to improve and widen Scottsdale Road by adding one southbound lane on the west side of the road between Indian Bend Road and Mountain View Road (Attachment No. 3). The existing roadway lies entirely within the corporate limits of the City. In the interests of the citizens of each municipality, both the City and the Town considered it desirable to cooperate in the widening of Scottsdale Road by increasing the existing ROW along the west side to sixty-five (65) feet in order to handle the southbound traffic needs of Scottsdale Road. Currently and at the time of the IGA, the corporate limits between the City and the Town along Scottsdale Road, between Indian Bend Road and Mountain View Road, lie forty (40) feet west of the Scottsdale Road monument line. Since the City currently maintains all of the existing Scottsdale Road, both the Town and the City agreed that jurisdiction and maintenance responsibility of the road should remain entirely within Scottsdale corporate limits after the widening project was

completed. In order to accomplish this, the City and Town agreed that the Town would de-annex all land within the Town that lies within land sixty-five (65) west of the Scottsdale Road monument line between Indian Bend Road and Mountain View Road and the City would annex this same land into Scottsdale. It is anticipated that the annexation/de-annexation process will commence upon completion of the four ROW acquisitions.

The IGA authorizes the City, with the assistance of Town staff, to negotiate with the affected property owners for the acquisition of the needed ROW. At the time the IGA was approved, nearly all of the land along the west side of Scottsdale Road was undeveloped and the scope of the project would have required acquisition of the ROW along the entire stretch of Scottsdale Road. Since that time, all vacant land has been developed and the Town cooperated with the City by requiring developers to dedicate the additional right-of-way along Scottsdale Road. This left only four pieces of ROW and related temporary construction easements to be acquired from existing homes between Doubletree Ranch Road and Sunnyvale Road.

Locations:

Parcel No. 174-30-023B at 8818 N. Scottsdale Road, Paradise Valley, AZ.
Parcel No. 174-30-024 at 7131 E. Doubletree Ranch Road, Paradise Valley, AZ.
Parcel No. 174-30-009 at 7140 E. Sunnyvale Road, Paradise Valley, AZ.
Parcel No. 174-30-010 at 7139 E. Sunnyvale Road, Paradise Valley, AZ.

Staff Contact:

Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@ci.scottsdale.az.us

24. Action: OK – 6/0 (R.P. – ABSENT)

To approve the transfer of the Restaurant and Catering Concession Agreement #960214A at WestWorld equestrian and special events facility from Pegasus Restaurant and Catering, Inc. to National Western Capital Corporation, Inc.

Purpose

The purpose of this action is for the City Council to consider approving the transfer of the Restaurant and Catering Concession Agreement at WestWorld's Monterra facility to new ownership.

Key Considerations:

National Western Capital Corporation, an Arizona Corporation, owned by Mr. Fred Unger, has acquired the Restaurant and Catering Concession Agreement rights from Pegasus Restaurant and Catering, Inc., an Arizona Corporation, owned by Mr. Brett Wilcox.

The City received notification of the interest in transfer of the concession license on January 10, 2002 from Pegasus Restaurant and Catering and National Western Capital Corporation. A temporary authorization for transfer was issued to the Licensee with a stipulation the final approval would be determined by the City Council and the Bureau of Reclamation. The Restaurant and Catering Concession Agreement between Pegasus Restaurant and Catering, Inc. (Licensee) and the City of Scottsdale (City) states that Licensee shall not be permitted to transfer ownership, management or control of the License without the prior written consent of the City and the Bureau of Reclamation.

On December 23, 1996, the City Council unanimously approved a contract for the operation of the Monterra restaurant and catering service at WestWorld. This agreement licensed the exclusive use of Monterra restaurant and non-exclusive rights elsewhere at WestWorld to provide catering and concession services for the term of January 1, 1996 through 2032 for a "Percentage Use Fee" of two percent (2%) of gross sales. The percentage use fee paid to the City in fiscal year 2000/01 was \$27,372.10.

Staff Contact:

Brad Gessner, WestWorld General Manager, (480) 312-6825 bgessner@ci.scottsdale.az.us

25. Action: OK – 6/0 (R.P. – absent)

Superpumper – Car Wash Addition

Consider approval for a conditional Use Permit to allow an automated car wash use at an existing gasoline service station. The subject 1-acre property is located at 8990 E. Shea Boulevard, and has Central Business District (C-2) zoning. 2-UP-2002

Purpose:

The applicant proposes to add an automated/self-serve car wash facility to the existing Superpumper gasoline station and convenience store uses on this site. This request was recommended for denial by the Planning Commission.

This request comes from K Engineering & Design, who filed on behalf of Partners Forever, LLC, the owner of this property.

Location: Northwest corner of Shea Blvd. and 90th St.

Key Considerations:

- Land use compatibility with surrounding uses
- Associated parking and traffic generation impact
- Planning Commission recommends denial, 4-1

Applicant:

Zygmunt Kwasnica, K Engineering & Design, 1702 E McNair Drive, Suite 300, Tempe, AZ 85283
480-839-9207

Owner:

Partners Forever LLC, 4648 E Bernell Dr, Phoenix, AZ 85028

Staff Contact:

Jason Yaich, Planner, 480-312-7849, E-mail: jyaich@ci.scottsdale.az.us

PUBLIC COMMENT - NONE

Previously referred to as “Items from the Floor,” citizens may complete one speaker/citizen comment card per night (check the box that refers to items from the floor) and submit it to the City Clerk before or during this evening’s meeting. This “Public Comment” time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

CITY MANAGER’S REPORT - NONE

MAYOR AND COUNCIL ITEMS – COUNCILMAN ORTEGA DONATED A STATE FLAG TO THE CITY SINCE HE NOTED THAT THE STATE FLAG DISPLAYED IN FRONT OF CITY HALL DURING THE CULINARY FESTIVAL WAS IN NEED OF REPLACEMENT.

ADJOURNMENT OF THE CITY COUNCIL MEETING (8:40 P.M.) AND CONVENING OF THE:

SCOTTSDALE MOUNTAIN COMMUNITY FACILITIES DISTRICT BOARD MEETING AGENDA ATTACHED

Executive Sessions authorized by Arizona Revised Statutes 38-431.03 in the Kiva Conference Room, City Hall, immediately following the 4:00 P.M. Special Meeting and immediately following the 5:00 P.M. Meeting. Executive Sessions are posted at least twenty-four hours prior to such meetings.

Section 2.17 of the Scottsdale City Code states, “Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting.” The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.

**NOTICE OF PUBLIC MEETING OF THE
BOARD OF DIRECTORS OF
SCOTTSDALE MOUNTAIN COMMUNITIES FACILITY DISTRICT
OF SCOTTSDALE, ARIZONA**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the general public that a special meeting of the Scottsdale Mountain Community Facilities District of Scottsdale, Arizona, open to the public, will be held on Tuesday, April 16, 2002 at 5:00 p.m. immediately following the meeting of the Scottsdale City Council in the City Council Chambers of the City of Scottsdale, Arizona, located at 3939 N. Drinkwater Boulevard, Scottsdale, Arizona, 85251, telephone number (480) 312-2412.

The agenda for the meeting is as follows:

1. Call to Order – **8:41 P.M.**
2. Approval of Minutes of Monday, June 4, 2001 - **OK – 6/0**
3. Call for Public Comments – **None received**
4. Adopt Resolution No. 29 – **OK – 6/0**
5. Adjournment – **8:45 P.M.**

Dated: April 2, 2002